



1 Airport Road
Glasgow, MT 59230
October 18, 2016

Dear Interested Party:

Earlier you received information related to the Draft Environmental Assessment (EA) of the Lost River Wildlife Management Area Addition. The proposed action in this EA was for the acquisition of 640 acres of property along the Milk River, approximately 45 miles northwest of Havre, adjacent to the Lost River Wildlife Management Area. This acquisition would conserve and protect the native habitats present on this property and improve access to surrounding public land while also increasing recreational opportunities.

A public scoping process for the project was held from May 26th through June 25th to gather public input on issues, potential impacts, and reasonable alternatives in the EA. Subsequently, a 30-day comment period on the draft environmental assessment was then held from August 18th through September 16th. During this comment period, 38 public comments were submitted. After reviewing these comments, there were no significant impacts to the human and physical environment identified. A summary of these comments is included in this Decision Notice. The previous copy of the EA along with the Decision Notice will act as the Final Environmental Assessment. The Final EA is available on the FWP website at fwp.mt.gov/publicNotices or upon request by contacting the Havre Area Office at 265-6177.

It is my recommendation to proceed with the proposed fee-title acquisition of the Lost River Wildlife Management Area Addition. This Fish and Wildlife Commission will be asked to approve this purchase at the November 17th meeting in Helena. The public will be afforded an opportunity to listen to the meeting and provide public comments at the MFWP Headquarters in Helena or at one of the Regional Offices. If you have any further questions regarding this proposal or opportunities for public comment, please contact Scott Hemmer at the Havre Area office at 406-265-6177 or shemmer@mt.gov.

Thank you for your interest in this project.

Sincerely,

Mark Sullivan
Region 6 Supervisor
Montana Fish, Wildlife & Parks

Decision Notice

Lost River Wildlife Management Area Addition
Montana Fish, Wildlife & Parks
Region 6
1 Airport Rd
Glasgow, MT 59230
October 18, 2016

DESCRIPTION OF PROPOSED ACTION

Montana Fish, Wildlife & Parks (MFWP) is proposing the fee-title purchase of 640 acres of property from Trevor Wolery. The property is located adjacent to the Lost River Wildlife Management Area (WMA) along the Milk River near the US-Canadian border approximately 45 miles northwest of Havre. The appraised value of the property is \$700,000. The property would be included and managed as part of the Lost River WMA.

The primary purpose of the proposed action is to conserve and enhance native vegetation communities that provide habitat for a variety of wildlife species. The action would also help maintain connectivity between habitats and wildlife populations along the Milk River. The acquisition would improve public access to the Lost River WMA and surrounding public land and increase public recreational opportunities.

MONTANA ENVIRONMENTAL POLICY ACT (MEPA) PROCESS AND COMMENT

Montana Fish, Wildlife & Parks is required under MEPA to assess the potential impacts of a proposed action on the human and physical environment. Pursuant to MCA §87-1-218 a 30-day comment period was held prior to the MEPA evaluation to solicit public comment and input on potential impacts and alternatives. This scoping period began May 26th and ended on June 25th, 2016. Subsequent to this scoping process, a Draft Environmental Assessment (EA) was released for public review on August 18th and accepted public comment through September 16th.

Public notice of the proposed action and availability of the Draft EA were published in the Great Falls Tribune and Havre Daily News. During the 30-day comment period, the EA was available for public review on the MFWP website and at Region 6 offices. A statewide news release was issued and news articles regarding the proposal appeared in the Billings Gazette, Great Falls Tribune, and Havre Daily News. Notifications of the availability of the EA and the opportunity to comment were mailed to neighboring landowners and interested parties. A public informational meeting was held at the Hill County Electric Hospitality room in Havre on September 8th, with 29 people in attendance.

SUMMARY OF PUBLIC COMMENT

Montana Fish, Wildlife & Parks received a total of 38 public comments. Thirty-three of the comments were from individuals and 5 were from other groups or organizations. The comments were classified as 28 comments supporting the proposed acquisition, nine comments in opposition, and one neutral. Comments supporting the proposal most commonly cited the following factors as reasons for their support:

- The location of the property in the middle of the Lost River WMA and other public land
- Protects native habitats
- Benefits wildlife species
- Improves public access to adjacent public land
- Increases public recreational opportunities
- Maintains habitat corridors and connectivity of wildlife populations
- Protects important historic and cultural resources
- Maintains the aesthetic value of the area
- Increased recreation will provide an economic benefit to the local community

Those comments opposing the proposal cited the following factors as the reasons for their opposition:

- Removes land from tax base
- Benefits only a limited number of people
- Funding could be better spent on other programs
- There is already too much land in federal or state ownership
- Concerned that MFWP does not have adequate resources to manage existing properties
- Concerns regarding accuracy of the appraised value
- Concerns regarding the source of funding for the purchase
- MFWP should have a no net gain policy for land acquisitions

MFWP RESPONSES TO PUBLIC COMMENTS

Issue #1: The proposed action would remove land from production and affect the local tax base

MFWP Response: MFWP ownership would not affect current tax revenues paid to Hill County on this property. As stated in the EA on page 12, MFWP would pay to Hill County a sum equal to the amount of taxes which would be payable were it owned by a private citizen. Therefore, this acquisition would not impact current county property tax revenue. MFWP ownership of the property would preclude wind development, mineral development, agricultural conversion or development of the property for subdivision as was addressed in the EA on page 11. Due to the small size of this parcel and lower potential for these developments, the impact to the local tax base was determined to not be significant. Continued livestock grazing management on the property would be evaluated, but one possible outcome would be a reduction or loss of grazing on this parcel. Purchase

of this parcel could result in increased public recreation and result in added tourism related spending in the local economy.

Issue #2: Purchase of this property would create a wilderness area that would only benefit a small segment of the public

MFWP Response: This property would not be managed as a wilderness area. It would be included as part of the Lost River Wildlife Management Area. MFWP wildlife management areas are managed with the objective of maintaining wildlife habitat and providing public recreational opportunities, but do not have the restrictions of a federally designated wilderness area. The wildlife management area would be open for use by all members of the public. The location of the Milk River, the surrounding topography, and lack of passable public roads in this area does limit road access to this parcel.

Issue #3: The funding for this project would be better spent in other areas (landowner cooperation, elk management, weed control).

MFWP Response: Under MCA §87-1-242, funding for the Habitat Montana program is specified that it must be used exclusively by the Department to secure, develop, and maintain wildlife habitat. This funding can be used for wildlife habitat projects on private lands and has regularly been used for conservation easements with interested landowners. In this case, the landowner was not interested in an easement and therefore this option was not an option evaluated in the EA. Currently, a minimum of 20% of the money from Habitat Montana funding is allocated for habitat maintenance which does include weed management on WMAs. MFWP realizes the importance of cooperation with private landowners in Montana for effective wildlife management. MFWP is interested in opportunities to expand existing or creating new programs promoting cooperation with landowners.

Issue #4: MFWP should not use taxpayer dollars to fund this purchase

MFWP Response: No Montana general fund tax dollars will be spent on this purchase. This purchase will be funded with money generated from hunting license sales designated for securing wildlife habitat by Habitat Montana HB 526. The Habitat Montana funds will be used as a match for federal dollars generated by the Federal Aid in Wildlife Restoration Act (Pittman-Robertson) funding. The Pittman-Robertson funds are generated through an excise tax on the sales of firearms and ammunition used for hunting. The funds are distributed to the states for wildlife management, habitat restoration, and education.

Issue #5: Concerns that MFWP does not have adequate funding or resources to adequately maintain any additional properties.

MFWP Response: The location of this property adjacent to the existing WMA will greatly reduce any additional funding or departmental resources required to effectively manage this property. There will be additional funding needed for weed management and trail/road maintenance. Depending on future grazing management on the property, there could be additional funding necessary for fencing

or water development. The acquisition of this property will reduce departmental costs for signing boundaries and may reduce overall costs for maintaining fencing.

Issue #6: The price MFWP is paying for this property is too high

MFWP Response: The appraisal of the property was conducted by independent certified real estate appraiser not affiliated with the landowner or MFWP. The appraisal was based on comparable sales and comparable income and lease data. The appraisal must be completed in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP), as adopted by reference by the State Board of Real Estate Appraisers in ARM 24.207.402.

Issue #7: The price MFWP is paying for this property too low, when compared to previous purchase of the Lost River WMA

MFWP Response: See response to Issue #6

Issue #8: The removal of this land from agricultural production will reduce food production and result in more hungry people in the United States.

MFWP Response: This issue is outside the scope of the EA

Issue #9: Utilization of PR dollars on this project will contribute to the national debt.

MFWP Response: This issue is outside the scope of the EA

Issue #10: Concern that there is not adequate time for public involvement in this process

MFWP Response: MFWP provided opportunities for public comment during the 30-day scoping period starting May 26, 2016, which was followed by a 30-day comment period on the draft environmental assessment starting in August 18, 2016. There was also a public informational meeting held in Havre during this comment period on September 8th. There will be additional opportunities for future public comment when this proposal goes before the Fish and Wildlife Commission and the State Land Board.

Issue#11: Concerns over the lack of public notification regarding recent hunting and fishing license fee increases.

MFWP Response: This issue is outside the scope of the EA

Issue #12: Oppose any increase in federal or state land ownership and/or recommend no net gain in land ownership by MFWP.

MFWP Response: Federal land ownership is outside the scope of this EA. Within the scope of MFWP land ownership, MFWP does pursue conservation easements when feasible to conserve wildlife resources values and access on private lands without the need for a fee-title purchase. If MFWP was unable to purchase property or was required to have no net-gain in land ownership it would limit the

department's ability to conserve wildlife habitat and increase public recreational opportunities when conservation easement or leases are not a viable alternative.

Issue #13: The EA suggests Russian olive is part of the native habitat. It is not a native species and can become a monoculture over time.

MFWP Response: The commenter is correct that Russian olive is not a native species in North America. It is an introduced species that has proliferated and become an abundant woody species in the native floodplain habitats on this property. Russian olive is classified as regulated plant in Montana and MFWP does not plan to manage this property for or promote the spread of Russian olive.

DECISION NOTICE

Montana Fish, Wildlife and Parks' evaluation supports proceeding with the proposed acquisition. The addition of these 640 acres will help conserve and enhance native riparian and grassland communities that provide habitat for a variety of game and nongame species. It would also improve public access to surrounding public land and increase recreational opportunities on the property.

Based on the Environmental Assessment and evaluation of public comment I have determined that the proposed action will not have significant effects on the human and physical environment. Therefore, an environmental assessment (EA) is the appropriate level of analysis for this project.

After review of this proposal and the public comments submitted, it is my decision to accept the Environmental Assessment and Decision Notice as final and to recommend MFWP proceed with the acquisition process of this property for eventual addition to the Lost River Wildlife Management Area. This decision is made subject to the approval of the Montana Fish and Wildlife Commission and the Montana Board of Land Commissioners.

The Final EA will be available for public viewing on the Montana Fish, Wildlife, and Parks website at: <http://fwp.mt.gov/news/publicNotices>. Copies of the EA may also be obtained by contacting the Fish, Wildlife, and Parks Havre Area Office, 2165 Hwy 2 East, Havre, MT 59501 (406-265-6177).



10/18/2016

Mark Sullivan, Region 6 Supervisor

Date